

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF HAWAII

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4 UNITED STATES OF AMERICA,) CR. NO. 19-00099-DKW-KJM
 5 Plaintiff,) Honolulu, Hawaii
 6 vs.) March 11, 2024
 7 MICHAEL J. MISKE, JR.,) JURY TRIAL - DAY 35
 8 Defendant.) (TESTIMONY OF GOVERNMENT'S
 9) WITNESS ISAIAH KAE0-CASH)

10 PARTIAL TRANSCRIPT OF PROCEEDINGS
 11 BEFORE THE HONORABLE DERRICK K. WATSON
 12 CHIEF UNITED STATES DISTRICT COURT JUDGE

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Proceedings recorded by machine shorthand, transcript produced
 with computer-aided transcription (CAT).

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I N D E X

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WITNESS:PAGE NO.

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FOR THE GOVERNMENT:

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ISAIAH KAE0-CASH

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DIRECT EXAMINATION BY MR. AKINA

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Exhibit 9427-09

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Exhibit 9427-29a

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1 MONDAY, MARCH 11, 2024 10:53 A M. O'CLOCK

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3 (Start of partial transcript:)

4 (Open court in the presence of the jury.)

5 THE COURT: All right. The government may call its
6 next witness.

7 MR. AKINA: Government calls Isaiah Kaeo-Cash.

8 COURTROOM MANAGER: Please raise your right hand.

9 ISAIAH KAEO-CASH, GOVERNMENT'S WITNESS, SWORN.

10 THE WITNESS: Yeah.

11 COURTROOM MANAGER: You may be seated.

12 Please state your full name, spelling your last name
13 for the record.

14 THE WITNESS: Isaiah, K-A-E-O, hyphen, C-A-S-H.

15 DIRECT EXAMINATION

16 BY MR. AKINA:

17 Q Good morning, Mr. Kaeo-Cash.

18 A Good morning.

19 Q Where did you grow up, what part of the island?

20 A Waimanalo.

21 Q Have you lived there your whole life?

22 A Yeah.

23 Q And what have you done workwise in the past?

24 A Security guard most of the time.

25 Q Are you here today because you received a subpoena to

1 testify?

2 A Yes.

3 Q would you have come otherwise?

4 A No.

5 Q Do you want to be testifying here today?

6 A No.

7 Q Do you know an individual named John Stancil?

8 A Yes.

9 Q And where did you meet John Stancil?

10 A Met him at a friend's house.

11 Q was that -- what part of the island was that?

12 A Waimanalo.

13 Q How old were you when you met John Stancil?

14 A I'm not sure the exact age I met him at.

15 Q were you still in high school?

16 A I might have just got out.

17 Q what year did you graduate high school?

18 A 2015.

19 Q So around 2015 is when you met him?

20 A Most like -- yeah, like around there.

21 Q what would you do when you hung out with John Stancil?

22 A I would cruise, go eat, couple times went to the bars.

23 That's about it.

24 Q would he ever buy you food or drinks when you hung out?

25 A Yeah.

1 Q He would pay for it?

2 You have to say --

3 A Oh, yes.

4 Q -- something audible. Just because there's a court
5 reporter typing everything.

6 MR. AKINA: Could we show the witness and publish
7 Exhibit 1-40, already in evidence?

8 THE COURT: Go ahead.

9 BY MR. AKINA:

10 Q You recognize this person?

11 A Yeah.

12 Q who's that?

13 A John.

14 Q That's John Stancil?

15 A Yeah.

16 Q Do you know someone named Jacob Smith?

17 A Yeah.

18 Q How do you know Jacob Smith?

19 A I met him around like -- at the same friend's house.

20 Q Do you know if John Stancil and Jacob Smith ever hung out
21 together?

22 A we all -- we cruised together before.

23 Q You would hang out with John Stancil and Jacob Smith?

24 A Yeah.

25 MR. AKINA: Could we show and publish Exhibit 1-41,

1 already in evidence?

2 THE COURT: Go ahead.

3 BY MR. AKINA:

4 Q Do you recognize this individual?

5 A Yeah.

6 Q who is that?

7 A Jake.

8 Q Jacob Smith?

9 A Yeah.

10 Q You know someone named Dayson Kaae?

11 A Yeah.

12 Q How did you meet Dayson Kaae?

13 A Met him through Jake, actually.

14 Q Jake Smith introduced you to Dayson Kaae?

15 A Yeah.

16 MR. AKINA: Can we show the witness Exhibit 1-73,
17 also in evidence?

18 THE COURT: Yes. Go ahead.

19 BY MR. AKINA:

20 Q Is this a picture of Dayson Kaae?

21 A Yeah.

22 Q Do you know someone named Jayward Reylubong?

23 A Yeah.

24 Q who is that? who is Jayward Reylubong?

25 A He's one of my friends.

1 Q How close were you with him in high school?

2 A We wasn't close in high school.

3 Q Okay. After you graduated high school, did you become
4 close to him?

5 A Yeah.

6 Q How close?

7 A Pretty close.

8 Q Fair to say that you were best friends at some point in
9 time?

10 A Yeah.

11 Q And that's after you graduated in 2015?

12 A Yeah.

13 Q Were you the same age?

14 A No.

15 Q Who was older?

16 A Me.

17 Q By about how many years?

18 A One to two, I think.

19 MR. AKINA: Can we show the witness Exhibit 1-862,
20 also in evidence?

21 THE COURT: Go ahead.

22 BY MR. AKINA:

23 Q Is this Jayward Reylubong?

24 A Yeah.

25 Q Do you know someone named Chloe Chang?

1 A I met her before, yeah.

2 Q How did you meet -- or who -- who is she?

3 A She was John's girlfriend at the time.

4 Q John Stancil's girlfriend?

5 A Yeah.

6 Q When you say "at the time," what do you mean?

7 A Would be when I met her.

8 Q Do you know someone named Kayla Keoho?

9 A Yeah.

10 Q Who is she?

11 A That was one of my friends too.

12 Q Do you know if she ever dated Jake Smith?

13 A Yeah. Or they was talking. I don't know if they was
14 dating.

15 Q But they were familiar with each other?

16 A Yeah.

17 Q I'm going to direct you to November 27 of 2017. Were you
18 with Dayson Kaae that day?

19 A Yeah.

20 Q Do you remember the day that Dayson Kaae died?

21 A Yes.

22 Q You were with him on that day?

23 A Yeah.

24 Q Were you in a car with him shortly before he died?

25 A Yes.

1 Q So I'm going to back up to the earlier part of that day.

2 where were you staying at that time?

3 A Staying at a friend's house.

4 Q And were you staying with anyone in particular?

5 A Me and Jay would stay there.

6 Q You and Jayward Reylubong were staying together at a

7 friend's house?

8 A Yeah.

9 Q And later that day did you meet up with John Stancil?

10 A Yes.

11 Q And did the three of you meet up with anyone else?

12 A Yeah, we picked up Jake.

13 Q You said "picked up." Were you guys in a car?

14 A Yeah.

15 Q You guys were driving around?

16 A Yeah.

17 Q Do you remember what type of car that was?

18 A Pretty sure it was a Toyota.

19 Q Remember the color?

20 A I think gold, I think.

21 Q Golden?

22 A Yeah.

23 Q So you, Jayward Reylubong, John Stancil, you pick up Jake

24 Smith. Do you pick up anyone else?

25 A Then we pick up Dayson, actually.

1 Q Dayson Kaae?

2 A Yeah.

3 Q So the five of you were in the car?

4 A Mm-hmm.

5 Q Back then did you have music CDs that you would have music
6 on?

7 A Yeah.

8 Q Sometimes you would listen to that in the car?

9 A Yeah.

10 Q After the five of you were together, were you all five in
11 that -- in that car?

12 A Yeah.

13 Q Okay. what was the plan for that day?

14 A Never really had a plan.

15 Q what did you think was going to happen that day?

16 A We were just cruising, a regular day.

17 Q By "cruising," what do you mean?

18 A Just driving around, hanging out.

19 Q At some point did you all end up driving to Aloha Tattoo
20 in Kailua?

21 A Yes.

22 Q Around what time of the day was that?

23 A Cannot pinpoint exactly what time.

24 Q Was it afternoon?

25 A Yeah, it was afternoon, though.

1 Q Did anyone in the car talk about Aloha Tattoo?

2 A No.

3 Q Did anyone mention any plans to do anything at that
4 point --

5 A No.

6 Q -- when you arrived at Aloha Tattoo?

7 A No.

8 Q So did you have any idea what was about to happen?

9 A No.

10 Q So the car pulls up to Aloha Tattoo. Does anyone get out
11 of the car?

12 A Yeah.

13 Q Who got out of the car?

14 A Dayson.

15 Q Anyone else?

16 A And Johnny at the time.

17 Q Dayson and John got out of the car?

18 A Yeah.

19 Q Did Dayson say anything to you at that time?

20 A All he said is "I'll be back."

21 Q Now, where was everyone seated in the car prior to this?

22 A I know I was in the backseat.

23 Q Which part?

24 A The back of the driver.

25 Q So you're in the back driver's side?

1 A Yeah.

2 Q Where was Jayward?

3 A He was in the -- to the right of me, in the middle.

4 Q So rear middle?

5 A Yeah.

6 Q And where was Dayson Kaae?

7 A On the other end of him.

8 Q In the rear passenger side?

9 A Yeah.

10 Q Who was the driver?

11 A Johnny at the time.

12 Q John Stancil?

13 A Yeah.

14 Q And who was in the front passenger seat?

15 A Jake.

16 Q Jake Smith?

17 A Yeah.

18 Q Okay. So after John Stancil and Dayson Kaae get out of
19 the vehicle, where do they go?

20 A They enter the -- the shop.

21 MR. AKINA: Could we show Exhibit 1-220, publish
22 that?

23 THE COURT: You may.

24 BY MR. AKINA:

25 Q Is this the shop that they went into?

1 A Yeah.

2 Q Then what happened after they went into that shop?

3 A I don't know. Dayson came back out bleeding.

4 Q Did you see what happened inside?

5 A No.

6 Q So Dayson comes back bleeding. Does he get into the car?

7 A Yeah.

8 Q which part of the car?

9 A The same spot.

10 Q Okay. That rear passenger side?

11 A Yeah.

12 Q And what about John Stancil?

13 A He gets back in the driver.

14 Q He got into the driver?

15 A Yeah.

16 Q Was John Stancil wearing anything at that time?

17 A Never really noticed too much.

18 Q Anything on his head?

19 A I never noticed that.

20 Q Do you recall him wearing a mask?

21 A From that point on I never really, like, saw him, like, in
22 front of me, you know what I mean?

23 Q So you don't recall?

24 A Yeah, no.

25 Q Do you recall telling an FBI agent that you recalled

1 seeing him wearing a mask?

2 A I might have. I don't know.

3 Q So John Stancil gets back into the driver's seat, and then
4 what happens?

5 A Then we -- I don't know. The car ended up like -- we
6 ended up driving away, but the car was like swerving all over.

7 Q Why was it swerving?

8 A I don't know.

9 Q Did you see anyone come out of the store after John
10 Stancil and Dayson Kaae?

11 A I was -- I don't know. My mind was kind of blank, and I
12 was like kind of numb at that point.

13 Q Okay. Tell me about that, your mind was blank. Why?

14 A Just seeing my friend come back with blood on him.

15 Q Can you describe the amount? Was it like a small scratch?

16 A Like a -- I don't know. I was on top of this side, and I
17 could barely see how much, but I saw a little blood on top of
18 him.

19 Q Okay.

20 A Yeah.

21 Q Did he seem to be okay?

22 A No.

23 Q How did he appear to you?

24 A Like he was hurt.

25 Q Did it appear that he needed to see a doctor?

1 A Yeah.

2 Q And what was the atmosphere like inside the car? How was
3 everybody at this point?

4 A I don't know. Nobody said anything.

5 Q Okay. And it sounds like you were sort of in your own
6 head?

7 A Yeah.

8 Q Were you in shock?

9 A Yeah.

10 Q Were you expecting to see Dayson Kaae come out of the shop
11 bleeding?

12 A No.

13 Q And is that why you were in shock?

14 A Yeah.

15 Q Do you recall if anyone came up to the car other than
16 Dayson Kaae and John Stancil?

17 A No.

18 Q Can't remember?

19 A Yeah, I can't remember.

20 Q Okay. So you drive off. You said the car was swerving.
21 And where did you all drive off to?

22 A I don't really know that exact area, but I know we went
23 like right.

24 Q You made a right?

25 A Yeah.

1 Q And then after you made the right, what -- did you make a
2 left?

3 A Yeah.

4 Q And then after making the left, what did you do? what did
5 the car do?

6 A Stop.

7 Q Came to a stop?

8 And after the car came to a stop, what happened next?

9 A Everyone jumped out.

10 Q Everyone jumped out?

11 A Yeah.

12 Q What about Dayson Kaae?

13 A No.

14 Q He stayed in the car?

15 A Yeah.

16 Q Do you recall -- were you paying attention to what anyone
17 was saying inside the car during this time?

18 A No.

19 Q You were still inside your own head?

20 A Yes.

21 Q Did you try to help Dayson Kaae?

22 A I tried to call the ambulance, but I didn't know what to
23 say.

24 Q Did you actually dial 911?

25 A Yes.

1 Q And did you say anything?

2 A I don't recall what I said, but --

3 Q Did you end up hanging up?

4 A Yeah.

5 Q And why was that?

6 A I was -- I don't know.

7 Q When you left the vehicle, was Dayson Kaae still alive to
8 you?

9 A No.

10 Q Where did you go from there?

11 A I ended up walking across the street someplace.

12 MR. AKINA: Could we show the witness Exhibit 1-219,
13 already in evidence?

14 THE COURT: Go ahead.

15 BY MR. AKINA:

16 Q You said from the tattoo shop you guys drove and you made
17 a right?

18 A Yeah.

19 Q So do you recognize where this location is that I circled?

20 A Yeah, from the map. Yeah.

21 Q What is that?

22 A It says a tattoo shop.

23 Q So you would have made a right, the first right?

24 A Yeah.

25 Q And then you said you made a left?

1 A Yeah.

2 Q would that be up here (indicates)?

3 A Yeah.

4 Q And is this around the area that the car stopped?

5 A Pretty sure, yeah.

6 Q And you said that --

7 MR. AKINA: We can take this down.

8 BY MR. AKINA:

9 Q You said that you walked somewhere. who did you walk
10 with?

11 A It was me and Jayward.

12 Q You and Jayward. what happened to John Stancil?

13 A I don't know.

14 Q was he still in the car?

15 A No. He got -- he got out and -- I don't know. we all
16 kind of split up.

17 Q Okay. Do you remember who was the first person to leave
18 the group?

19 A Not really.

20 Q Okay. So John Stancil went somewhere. You and Jayward
21 walked to somewhere. what was that somewhere?

22 A I remember seeing Zippy's at the time.

23 Q You and Jayward walked to Zippy's?

24 A Yeah.

25 Q At Zippy's, did you and Jayward see anyone that you knew?

1 A We ended up meeting up with Jake after.

2 Q Jake was at the Zippy's also?

3 A Yeah.

4 Q And then the three of you, where did the three of you go
5 from there?

6 A Ended up getting picked up.

7 Q By who?

8 A One of Jake's friends.

9 Q And then after one of Jake's friends picked you up, what
10 happened?

11 A Ended up getting -- we jumped in another car after.

12 Q So one of Jake's friends came and picked you, Jake, and
13 Jayward Reylubong up in their car?

14 A Yeah.

15 Q And then you switched over to a second car?

16 A Yeah.

17 Q And who was driving that second car?

18 A That, I don't remember.

19 Q You said it was another one of Jake's friends?

20 A Yeah.

21 Q Who was that other person?

22 A I not sure.

23 Q Was it Kayla Keoho?

24 A No. Then we ended up going to Kayla after that.

25 Q After that?

1 A Yeah.

2 Q Okay. So another vehicle?

3 A Yeah.

4 Q Eventually you get picked up by Kayla Keoho?

5 A Yeah.

6 Q After you get picked up by Kayla Keoho, then what
7 happened?

8 A She dropped us off at home, or at the house we were
9 staying.

10 Q She dropped you and who?

11 A Jay.

12 Q That same house that you had been staying the night
13 before?

14 A Yeah.

15 Q And then did Jake go with you or did he stay with Kayla?

16 A Stayed with Kayla.

17 Q All right.

18 MR. AKINA: Can we show the witness Exhibit 1-242,
19 already in evidence?

20 THE COURT: Go ahead.

21 BY MR. AKINA:

22 Q Do you recognize this?

23 A Yeah.

24 Q What is this a picture of?

25 A The car.

1 Q That's the car that you all five were in?

2 A Yeah.

3 MR. AKINA: Can we show the witness Exhibit 1-316,
4 which is in evidence?

5 THE COURT: You may.

6 BY MR. AKINA:

7 Q Do you see these CDs in this picture?

8 A Mm-hmm.

9 MR. AKINA: And if we can go to Exhibit 1-317.

10 BY MR. AKINA:

11 Q Is that an overhead view of those same CDs?

12 A Yeah.

13 Q Okay. And you see three of them has cash, cash, cash
14 written on them?

15 A Yeah.

16 Q Are those CDs that you had at that time?

17 A Yeah.

18 Q After you got dropped off by Kayla at home, what happened
19 next?

20 A We was at home.

21 Q Say that again?

22 A We just was at home.

23 Q Okay. Did anyone come to pick you up later on?

24 A Yeah.

25 Q Who?

1 A Kayla and Jake.

2 Q So they came back and picked you up?

3 A Yeah.

4 Q Was it just you, or anyone else that they picked up?

5 A Me and Jayward.

6 Q So after they picked up you and Jayward Reylubong, where
7 did you go?

8 A I think it was someplace in Kailua.

9 Q Okay. What type of place was it?

10 A Shopping center.

11 Q And is this -- this is the same night, right?

12 A Yeah.

13 Q A shopping center? Which shopping center?

14 A I don't know the name over there.

15 Q Okay. But in Kailua?

16 A Yeah.

17 Q And what types of places were there, businesses were
18 around?

19 A I remember Safeway for sure.

20 Q Do you recall a movie theater nearby?

21 A Yeah, in the area.

22 Q Okay. So you get driven to this shopping center area.
23 Did you go into any buildings or did you stay out in the
24 parking lot area?

25 A Wait. What is that?

1 Q Did you go into any buildings at the shopping center?

2 A No.

3 Q You stayed in the parking lot area?

4 A Yeah.

5 Q And what happened once you got there to the parking lot?

6 A I met up with someone.

7 Q Okay. So how did that -- how did that work? How did you
8 go from being inside the car to meeting with someone?

9 A Jake just said I had to go -- go meet someone.

10 Q Who said?

11 A Jake.

12 Q Jake said you had to go meet someone?

13 A Yeah.

14 Q Okay. And at this point Jayward was with you?

15 A Yeah.

16 Q And was this all together go meet someone?

17 A Or it was like they -- they asked Jayward. And then he
18 didn't want to go, so I went.

19 Q Who asked Jayward to go?

20 A Jake.

21 Q Jake asked Jayward to go meet someone?

22 A Yeah.

23 Q And Jayward didn't want to go?

24 A No.

25 Q How did Jayward appear to you?

1 A I would say frightened. I don't know.

2 Q So Jayward didn't want to go. And then what happened?

3 A Then I went out.

4 Q You decided to go out?

5 A Yeah.

6 Q Okay. So you went out alone or with anyone?

7 A Alone.

8 Q And you get out of the car?

9 A Mm-hmm.

10 Q And then where do you go?

11 A I just remember walking.

12 Q At this point, is it daylight or has it become dark?

13 A No, it's dark already.

14 Q Okay. So you're walking alone in this parking lot and
15 where do you go? What happens next?

16 A I spoke to a guy with a mask on.

17 Q You spoke to a guy with a mask on?

18 A Yeah.

19 Q And what was that conversation?

20 A He said if I was okay.

21 Q What did you tell him?

22 A Yeah.

23 Q Did you know who that masked man was?

24 A No.

25 Q Anything else you recall from that conversation?

1 A No.

2 Q Was that masked man -- that wasn't John Stancil, was it?
3 Could you tell?

4 A I'm not sure. Cannot -- couldn't tell.

5 Q Okay. You have no idea who it was?

6 A No.

7 MR. AKINA: Can we show the witness only
8 Exhibit 1-219a from the government's fourth supplemental list?

9 THE COURT: Go ahead.

10 BY MR. AKINA:

11 Q Do you recognize what shopping center this map shows?

12 A Yeah.

13 Q You do?

14 A Yeah.

15 Q Okay. What do you -- what is it? What do you know it as?

16 A It's about the area, like --

17 Q Do you know the name of the shopping area?

18 A From looking at this, yeah, but --

19 Q Okay.

20 A Not off of -- not off of top of my head, yeah.

21 Q Does this depict the area that you went to that evening to
22 meet the man in the mask?

23 A Looks like it, yeah.

24 Q Okay. And do you see the area that you got out of the car
25 that Jake Smith and Kayla had picked you up in?

1 A Yeah.

2 MR. AKINA: At this point I'd offer Exhibit 1-219a
3 into evidence.

4 THE COURT: Any objection?

5 MR. KENNEDY: No objection.

6 THE COURT: Without objection, that exhibit is
7 admitted, 1-219, alpha.

8 (Exhibit 1-219a received in evidence.)

9 THE COURT: You may publish.

10 BY MR. AKINA:

11 Q Okay. So you said this is a shopping center. You don't
12 know the name off the top of your head?

13 A Yeah.

14 Q But it's in Kailua?

15 A Yeah.

16 Q All right. Can you circle with your finger on the screen
17 the area that you got out of the car?

18 A Right here. Was right around here (indicates).

19 MR. AKINA: Okay. If we could zoom in on this bottom
20 half of the screen, please.

21 BY MR. AKINA:

22 Q All right. Could you mark it again?

23 A This area (indicates).

24 Q So that's kind of behind this Safeway?

25 A Yeah.

1 Q And then which direction did you walk?

2 A Left.

3 Q Left? Okay.

4 And then you ultimately met up with someone?

5 A Yeah.

6 Q Okay. So can you circle about where you think you met up
7 with that person?

8 A Probably be like around this area or something
9 (indicates). Wasn't that far.

10 Q And then you see below that it says Kailua Cinemas there?

11 A Yeah.

12 Q So you met up in this parking lot area, kind of behind the
13 Safeway and the cinema?

14 A Yeah, it was like around there.

15 Q Okay. After you talked to that person in the mask, what
16 did you do?

17 A Went back to the car.

18 Q Do you know if Jayward got out?

19 A If I recall, yeah. I don't know. I remember kind of like
20 bits and pieces, yeah.

21 Q Okay. From this shopping center, where did you all go?

22 A We ended up going in like Waikiki area.

23 Q Okay. Where did you stay that night?

24 A There's a hotel.

25 Q Do you know whose idea that was?

1 A No. I just went with the flow with Jake.

2 Q Say that again?

3 A I went with the flow. It was with Jake and Kayla.

4 Q Okay. Was it your idea?

5 A No.

6 Q Okay. Was it Jayward's idea?

7 A No.

8 Q Did you or Jayward pay for the hotel?

9 A No.

10 Q What about your phone? What happened to your phone that
11 night?

12 A I remember leaving it with Jake.

13 Q You left it with Jake?

14 A Yeah.

15 Q How did that happen?

16 A He asked if I had my phone, and I gave it to him.

17 Q Jake Smith asked for your phone?

18 A Yeah.

19 Q At this point, what was going through your head, now that
20 you're at a hotel and Jay -- you met a man in a mask and Jake
21 Smith has asked for your phone?

22 A Not much, honestly.

23 Q Were you still in shock?

24 A Yeah.

25 Q Were any explanations given to you?

1 A No.

2 Q About how many nights did you stay at a hotel?

3 A I remember just sleeping over that one night. And then --

4 'cause we went -- ended up going, like leaving after.

5 Q Okay. So that first night, who stayed over?

6 A Me, Jake, Jayward, and Kayla.

7 Q Okay. And then the next day, did you stay at that same

8 hotel?

9 A No.

10 Q Did you go to another hotel?

11 A Yeah.

12 Q Okay. In total, about how many hotels did you stay at?

13 A Three to four, I would say.

14 Q Is that a new hotel every night?

15 A Can't recall if it was every night or every couple nights.

16 Q Okay.

17 A Not really sure.

18 Q You would switch every day or a couple of days?

19 A Yeah.

20 Q And after the first night, you went to the second hotel?

21 A Mm-hmm.

22 Q Who took you there?

23 A I don't know. Johnny.

24 Q John Stancil?

25 A Yeah.

1 Q Anyone else with him?

2 A No.

3 Q Okay. And did Jayward go with you to this new hotel?

4 A Yeah.

5 Q And did you ever see Chloe Chang?

6 A Yeah. She ended up coming by.

7 Q She would come by to where?

8 A To the hotel.

9 Q And then what about -- was there a third hotel?

10 A Yeah.

11 Q And who took you to that third hotel?

12 A Same people.

13 Q Which people?

14 A Johnny.

15 Q And was there a fourth hotel?

16 A I think -- I don't know. It was three or four, that's
17 why. So it was --

18 Q Was it the same people who took you to that hotel?

19 A Yeah. We stayed with the same people.

20 Q During this time, how did Jayward Reylubong seem to you?

21 A Still blank, pretty much.

22 Q Did he appear scared at all?

23 A In a way.

24 Q Okay. So focusing on when you're going from the first
25 hotel to the second hotel, do you recall making any stops?

1 A I know we went across the street from the first one, but I
2 was in the car. I don't know.

3 Q were there -- and tell us about that.

4 A We just went across the street and Jayward and Jake jumped
5 out.

6 Q Do you know what they were supposed to do?

7 A No.

8 Q But you stayed in the car?

9 A Yeah.

10 Q Do you know if there were any other meetings with people?

11 A That, I'm not sure, 'cause I didn't have another.

12 Q Do you know if Jayward Reylubong met with anyone at this
13 point while going from the first hotel to the second hotel?

14 A I don't know.

15 Q Do you know what happened to Dayson Kaae ultimately?

16 A After reading articles, yeah.

17 Q Did you learn that while you were staying at the hotel?

18 A I think it was after.

19 Q while you were staying at these hotels, did you meet with
20 any attorneys, or were you taken to meet with any attorneys?

21 A I met with one.

22 Q Okay. And who took you there?

23 A Johnny.

24 Q Okay. Did he take anyone else besides you?

25 A Oh, Jayward was with me the whole time too.

1 Q Okay. So John Stancil took you and Jayward Reylubong to
2 meet with an attorney?

3 A Yeah.

4 Q And what part of the island was that in?

5 A Like this area, like town area.

6 Q Town area? whose idea was it to go see an attorney? Was
7 it your idea?

8 A It wasn't mine.

9 Q Was it Jayward's idea?

10 A No.

11 Q When you all went, how did that work? Did you all meet --
12 the three of you meet with one attorney or separately?

13 A No. Me and Jayward went in and then I met with one. And
14 he couldn't take two of us so --

15 Q Do you recall the name of the person that you met with?

16 A Pretty sure it was Andrew.

17 Q Andrew?

18 A Yeah.

19 Q Do you remember his last name?

20 A His name was Parks or something.

21 Q Did you end up hiring him?

22 A No.

23 Q Did you pay any money?

24 A No.

25 Q Do you recall what you discussed with Andrew Park?

1 A I don't.

2 Q What about John Stancil and Jayward, did they go to any
3 other -- any attorneys? You said that this one couldn't take
4 two of you.

5 A Yeah. They met up with their own too.

6 Q Okay. Do you recall anything from who they met up with?

7 A Not really, no.

8 Q Do any names stand out to you that you saw on the wall?

9 A I mean, I saw names, but I don't know if that was theirs,
10 like for sure.

11 Q What names did you see?

12 A I know I saw a name named Alan.

13 Q Alan who?

14 A I don't really know a last name too good.

15 Q Okay. After you stayed at the hotels, did you at some
16 point able -- were you able to go home?

17 A Yeah.

18 Q And did you get your phone back or did you get a new
19 phone? What happened?

20 A We ended up getting new phones.

21 Q Who gave you new phones?

22 A Well, we went with Johnny to -- I forget what place, but
23 we went to get a phone.

24 Q You went with John Stancil?

25 A Yeah.

1 Q who paid for that new phone?

2 A Pretty sure him.

3 Q Did you pay for it?

4 A No.

5 Q During the time that you were staying at the hotels, did
6 you have contact with your family?

7 A No.

8 Q Did they know where you were?

9 A No.

10 Q After this whole incident and staying at the hotels
11 happened, did you continue hanging out with John Stancil?

12 A No.

13 Q why not?

14 A We just stayed home.

15 Q At some point in the future after that, this happens, did
16 John Stancil ever try to reach out to you?

17 A No.

18 Q Did he ever ask to get food with you at some point in
19 time?

20 A No.

21 Q That first person who picked you up after you left the
22 Camry, you said it was Jake's friend, right?

23 A Yeah.

24 Q And that was from Zippy's or around that area?

25 A Yeah, in the area.

1 Q Do you know who that person was?

2 A No.

3 Q Is it male or female?

4 A Honestly, a girl.

5 Q Do you know someone named Ashlin Akau?

6 A No.

7 Q You mentioned earlier that you don't want to testify
8 today. Why is that?

9 A I don't know. I never did this, ever.

10 Q Do you typically cooperate with law enforcement?

11 A No.

12 Q And by cooperate, has anything been promised to you or
13 anything like that? Are you under any type of agreement?

14 A No.

15 Q You're just here under subpoena?

16 A Yeah.

17 MR. AKINA: Okay. No other questions.

18 THE COURT: Mr. Kennedy.

19 MR. KENNEDY: I'd like to -- excuse me. Hold on just
20 a second, Your Honor.

21 Could we pull up 94727-028 for the witness? It's in
22 the 22nd supplemental exhibit list.

23 THE COURT: Go ahead.

24 ///

25 ///

1 CROSS-EXAMINATION

2 BY MR. KENNEDY:

3 Q Sir, do you recognize what's shown in 9427-028?

4 A Yes.

5 Q Do you recognize yourself?

6 A Yeah.

7 Q Do you recognize Jake Smith?

8 A Yeah.

9 Q Do you recognize others?

10 A Yeah.

11 Q Do you recognize Dayson?

12 A Yes.

13 Q All right.

14 MR. KENNEDY: At this time I'd move 9427-028 into
15 evidence.

16 THE COURT: Any objection?

17 MR. AKINA: No objection.

18 THE COURT: Without objection, that Exhibit 9427-28
19 is admitted.

20 (Exhibit 9427-28 received in evidence.)

21 THE COURT: You may publish.

22 MR. KENNEDY: May we publish?

23 THE COURT: Yes.

24 MR. KENNEDY: All right.

25 BY MR. KENNEDY:

1 Q Now, can you indicate just with an X, is this Dayson?

2 A Wait. What is that?

3 Q I've marked an X. Who is that, sir?

4 A Oh, yeah, that's Dayson.

5 Q Okay. And are you back here, sir (indicates)?

6 A Yeah.

7 Q Is this Jake (indicates)?

8 A Yeah.

9 Q All right. And do you recognize this individual? Which
10 I'll draw -- it looks like with the P cap?

11 A Not really, no.

12 Q Okay. Did you know Frankie Silva?

13 A I met him one time, yeah.

14 Q All right. All right. Now, there's a particular sign.
15 Is this a La Familia gang sign, sir?

16 A It's just where you're from.

17 Q And is this the Shooter Gang, sir?

18 A Something -- yeah, that he made up, yeah.

19 Q Okay. So that's Jake. With the finger out, that's for
20 the Shooter Gang, correct?

21 A Yeah.

22 Q And the fingers here, that I've got here, that's for La
23 Familia, correct?

24 MR. AKINA: Objection.

25 THE COURT: Sustained.

1 MR. AKINA: Mischaracterizing.

2 MR. KENNEDY: All right. Now, if we can pull up --

3 BY MR. KENNEDY:

4 Q This was taken the -- on November 26th, 2017, the night
5 before the Aloha Tattoo incident, correct?

6 A I guess. I don't know.

7 MR. KENNEDY: All right. If we can pull up
8 9427-028a, Your Honor, which is also in the 22nd Supp. exhibit
9 list?

10 THE COURT: Yes. Go ahead.

11 BY MR. KENNEDY:

12 Q Do you recognize that as the same photograph that we're
13 looking at in 9427-028?

14 A Yeah.

15 Q Do you see the date, 11/26/2017?

16 A Yeah.

17 Q All right. Are you aware that when the phone is -- can --
18 when it takes a photograph, there's some data that goes along
19 with it as to the date and time?

20 A Yeah.

21 Q Okay.

22 MR. KENNEDY: At this time I'd move 9427-028a into
23 evidence.

24 MR. AKINA: Pursuant to the parties' stipulation, no
25 objection.

1 THE COURT: All right. Without objection.

2 MR. KENNEDY: And if we could publish that.

3 THE COURT: Yes, you may. That's 9427-28, alpha.

4 (Exhibit 9427-28a received in evidence.)

5 BY MR. KENNEDY:

6 Q All right. So this is the day before the Aloha Tattoo
7 incident, correct?

8 A Mm-hmm.

9 MR. KENNEDY: All right. If we can move to 9427-029,
10 which is not yet in evidence?

11 THE COURT: Go ahead.

12 BY MR. KENNEDY:

13 Q Do you recognize that, sir?

14 A Yeah.

15 Q Is it a photograph taken that same night?

16 A Looks like, yeah.

17 Q Are the same individuals depicted in this photograph that
18 we saw in 9427-028?

19 A Yeah.

20 MR. KENNEDY: All right. At this time I'd move
21 9427-029 into evidence.

22 MR. AKINA: No objection.

23 THE COURT: Without objection, that exhibit is
24 admitted 9427-29.

25 (Exhibit 9427-29 received in evidence.)

1 MR. KENNEDY: May we publish, Your Honor?

2 THE COURT: Yes, you may.

3 MR. KENNEDY: All right.

4 BY MR. KENNEDY:

5 Q Now, you are right here (indicates), right, sir?

6 A Yeah.

7 Q And in this particular photograph, you're pointing forward
8 like this (indicates), correct?

9 A Yeah.

10 Q And that's for Shooter Gang, right?

11 A Well, yeah, it was a sign that we'd hold up, yeah.

12 Q All right. And is this Jake Smith, who you've been
13 talking about, there?

14 A Yeah.

15 Q All right. And in that, the Shooter Gang is something
16 that Jake Smith started, correct?

17 A Yeah.

18 Q He's the boss, right?

19 A Well, pretty much, yeah.

20 Q All right. And he's also making a La Familia gang sign
21 right there, correct?

22 MR. AKINA: Objection.

23 A I don't know.

24 MR. AKINA: That's not in evidence.

25 BY MR. KENNEDY:

1 Q You don't know, okay.

2 MR. KENNEDY: All right. Moving to 9427-029a, which
3 is not yet in evidence, Your Honor, also in the 22nd
4 supplemental?

5 THE COURT: Yes. Go ahead.

6 BY MR. KENNEDY:

7 Q Sir, do you recognize what's shown as 9427-029a?

8 A Yeah.

9 Q Is it the same photograph that we were just looking at?

10 A Yeah.

11 MR. KENNEDY: All right. At this time I would move
12 9427-029a into evidence.

13 MR. AKINA: No objection.

14 THE COURT: Without objection, 9427-29, alpha, is
15 admitted.

16 (Exhibit 9427-29a received in evidence.)

17 THE COURT: You may publish.

18 MR. KENNEDY: All right.

19 BY MR. KENNEDY:

20 Q The photograph that we were just looking at, this was also
21 taken -- bless you -- the day before the Aloha Tattoo incident,
22 correct?

23 A Yeah.

24 MR. KENNEDY: All right. Now -- we can take that
25 down.

1 BY MR. KENNEDY:

2 Q So on that day, you mentioned that you and Jayward
3 Reylubong were at a friend's, right?

4 A Yeah.

5 Q And you'd been staying with his friends overnight?

6 A Yeah.

7 Q And had the two of you been staying there for a while?

8 A Yeah.

9 Q Okay. And so on that day John Stancil was driving, right?

10 A Yeah.

11 Q And he originally picked you up, right?

12 A No.

13 Q Or was it Jake and -- did Jake pick you up?

14 A Wait. I know what you're -- like from the get?

15 Q I'm sorry?

16 A Like from the beginning?

17 Q Yeah.

18 A We actually picked up Johnny.

19 Q Oh, okay.

20 A Yeah, yeah.

21 Q Okay. So the two -- so when you say "we," it was you,
22 right?

23 A Me --

24 Q Was it also Jayward?

25 A Yeah.

1 Q All right. Reylubong. And was it Jake Smith?

2 A No.

3 Q Okay. So the two of you picked up Johnny?

4 A Yeah.

5 Q All right. Were you driving the gold Camry?

6 A I was not driving.

7 Q Okay. Did you walk to a place?

8 A No. I wasn't driving. I was a passenger.

9 Q Oh, okay. Was -- then who was driving?

10 A Jayward was driving at the time.

11 Q Okay. So Jayward was driving the gold Camry?

12 A Yeah.

13 Q Okay. So you had the -- the gold Camry that evening,
14 right?

15 A Yeah.

16 Q Okay. Had you had the gold Camry for some time?

17 A Yeah.

18 Q How long had you and Jayward had the gold Camry?

19 A Cannot recall how long.

20 Q Okay.

21 A Yeah.

22 Q Was it weeks? Was it a month?

23 A Could have been weeks.

24 Q Okay, weeks. All right. And so was this friend in
25 Waimanalo or was it in some other location?

1 A Waimanalo.

2 Q Okay. So you were staying at a friend's in Waimanalo.

3 A Yeah.

4 Q You had the gold Camry.

5 A Mm-hmm.

6 Q The two of you picked up John, John Stancil, right? Did
7 you pick him up in Waimanalo as well?

8 A Yeah.

9 Q Okay. Now, from there, did the three of you then pick up
10 Jake Smith at some point?

11 A Yeah.

12 Q All right. And where was that?

13 A Cannot recall where it was.

14 Q Okay. Was it in Kalihi?

15 A I don't think so.

16 Q Okay. Was it in Waimanalo?

17 A No.

18 Q Was it in Kaneohe?

19 A It could have been Kaneohe, yeah.

20 Q Okay. All right. Could have been there.

21 Was Dayson with him?

22 A No.

23 Q Okay. Did you eventually pick up him?

24 A Yeah.

25 Q And where did you pick him up at?

1 A I think it's from his house or like wherever he was
2 staying.

3 Q Okay. All right. So at that point were you going to hang
4 out for the day?

5 A Yeah.

6 Q All right. What other plans were made?

7 A Not -- there was no plans, really.

8 Q Okay. Let me ask you this. Had the gold Camry been
9 parked in two spots in front of the tattoo shop for a lengthy
10 period of time?

11 A I think -- yeah.

12 Q Okay.

13 A I don't know.

14 Q Were you in the vehicle when --

15 A Yeah.

16 Q -- it was parked?

17 A Yeah.

18 Q Okay. So you were just outside, right?

19 A Yeah.

20 Q All right. Then at that point, I believe, Dayson said
21 "I'll be back"?

22 A Yeah.

23 Q And he got out of the car?

24 A Yeah.

25 Q And then John got out of the car?

1 A Mm-hmm.

2 Q All right. And they went inside?

3 A Yeah.

4 Q And then they came back out?

5 A Yeah.

6 Q And you said that Dayson got into the rear passenger side?

7 A Yeah.

8 Q And you saw some blood?

9 A Yeah.

10 Q So you knew something had happened?

11 A Yeah.

12 Q John got back in the car?

13 A Yeah.

14 Q Did you hear somebody slashing the tires, both on the
15 passenger side and the driver's side?

16 A I never hear, no.

17 Q Okay. Did you feel it?

18 A When we was driving away, yeah.

19 Q Did you see him do it?

20 A No.

21 Q All right. When he was driving away, you said the car
22 started swerving. Was that because the tires were not
23 operating like they should?

24 A I would think so, yeah.

25 Q Okay. Then you turned right at the first right?

1 A Yeah.

2 Q Went two blocks, right?

3 A Yeah.

4 Q 'Cause if we see on the map, the first -- the first left
5 goes into a parking structure, right?

6 A Right, right.

7 Q Okay. So you go down to the first street, turned left,
8 and the car -- are you on the rims at that point?

9 A That's what it felt like.

10 Q Okay.

11 A Yeah.

12 Q You stop, right?

13 A Mm-hmm.

14 Q Everybody gets out, correct?

15 A Yeah.

16 Q And you said that your friend at that point appeared to
17 you to not be with us anymore. It appeared that he was dead?

18 A Yes.

19 Q All right. So you left at that point?

20 A Yeah.

21 Q Okay. Now, you described going to some hotels after that,
22 right?

23 A Right.

24 Q All right. So Jake Smith is the one who took your phone,
25 right?

1 A Yeah.

2 Q Okay. Went to the series of hotels, right?

3 A Mm-hmm.

4 Q Okay. And at the hotels, I think you have said that at
5 any point you felt you could leave, right?

6 A Yeah.

7 Q That you went to the pool when you were at the hotels, and
8 you could pretty much do whatever you wanted to do?

9 A Right. Yeah.

10 Q Okay. All right. And then at a certain point, maybe it
11 was three days, four days, you went back home, right?

12 A Mm-hmm.

13 Q All right.

14 Now, after that, you were asked some questions about John
15 Stancil and that you didn't spend much time with him after
16 that, right?

17 A Yeah, yeah.

18 Q It's different with Jake. You stayed with Jake, right?

19 A Wait. With who?

20 Q Jake Smith.

21 A No.

22 Q You continued to have phone conversation with him, right?

23 A No.

24 Q You continued to be with him all the way into February,
25 into 2018, right?

1 A I forgot already. I don't know.

2 Q Okay.

3 A Not really sure.

4 Q Now, before that, Jake was giving you some quantities
5 of -- of drugs to sell, right?

6 A He would give me, yeah.

7 Q And so those -- he was giving you those, and you were
8 selling and then giving the money back to him, right?

9 A Yeah.

10 Q And you keeping some of it, correct?

11 A Yeah.

12 Q Okay. And so that was Jake Smith, right?

13 A Yeah.

14 Q Okay.

15 MR. KENNEDY: Nothing further, Your Honor. Thank
16 you.

17 THE COURT: Mr. Akina.

18 REDIRECT EXAMINATION

19 BY MR. AKINA:

20 Q Those two pictures that you were shown from what looked
21 like a nightclub; is that right?

22 A Yeah, yeah.

23 Q And there was a symbol that you said was for where you're
24 from?

25 A Yeah.

1 Q what location? what place is that?

2 A East Side.

3 Q East Side?

4 A Yeah.

5 Q Okay. So that was a "E" with the fingers to represent
6 East Side?

7 A Yeah.

8 Q As far as you know, that's not a gang symbol?

9 A No.

10 Q You were asked questions about a gold Camry that you were
11 driving the morning of the Aloha Tattoo incident?

12 A That I was in, yeah.

13 Q Whose Camry was that? Where did you get the Camry from?

14 A Oh, from Johnny.

15 Q From John Stancil?

16 A Yeah.

17 Q And so in the morning when you and Jayward took that car
18 to meet up with John Stancil, were you returning the car to
19 him?

20 A And to pick him up to cruise.

21 Q Okay. And then after you picked up John Stancil, who
22 became the driver?

23 A See, I can't really -- I don't know. I can't recall. Oh,
24 that's a long time.

25 Q Okay. At some point did John Stancil become the driver?

1 A Yeah.

2 Q And that was before you guys got to Aloha Tattoo?

3 A Yeah.

4 Q You were asked questions about Jake Smith and him selling
5 drugs. Would you also get drugs from John Stancil in the past?

6 A Think I got some weed from him, yeah.

7 Q And did you ever help connect him with other people to get
8 other types of drugs?

9 A I gave him some, yeah.

10 Q Did you ever help John Stancil get Ecstasy as well?

11 A Yeah.

12 MR. AKINA: No further questions. Thank you.

13 THE COURT: Mr. Kennedy, anything else for this
14 witness?

15 RECROSS-EXAMINATION

16 BY MR. KENNEDY:

17 Q You were asked a question about East Side, right?

18 A Yeah.

19 Q There's also someone in the photograph showing a West
20 side?

21 A Yeah. That's the West Side sign.

22 Q All right. Shooter Gang, though, is a gang sign, right?

23 MR. AKINA: Objection. Outside the scope of
24 redirect.

25 THE COURT: Overruled. Go ahead.

1 A Yeah.

2 BY MR. KENNEDY:

3 Q In fact, the word "gang" is in the Shooter Gang, right?

4 A Yes.

5 Q And that's what that particular sign was, that photograph
6 that night at the nightclub the night before the Aloha Tattoo
7 incident, correct?

8 A Yeah.

9 MR. KENNEDY: Nothing further.

10 THE COURT: All right. Mr. Kaeo-Cash, you may step
11 down. Thank you.

12 THE WITNESS: Yeah.

13 (witness excused.)

14 (End of partial transcript.)

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1 COURT REPORTER CERTIFICATE

2 I, Ann B. Matsumoto, Official Court Reporter, United
3 States District Court, District of Hawaii, do hereby certify
4 that pursuant to 28 U.S.C. Sec. 753 the foregoing is a
5 complete, true, and correct transcript of the stenographically
6 recorded proceedings held in the above-entitled matter and that
7 the transcript page format is in conformance with the
8 regulations of the Judicial Conference of the United States.

9 DATED at Honolulu, Hawaii, June 22, 2024.

10

11

12

13

/s/ Ann B. Matsumoto

ANN B. MATSUMOTO, RPR

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